

**SUPREME COURT MINUTES
TUESDAY, AUGUST 15, 2000
SAN FRANCISCO, CALIFORNIA**

- S089380 Derek Abbott, Appellant
2nd Dist. v.
B137191 Vintage Petroleum Incorporated, Respondent
Div. 6 Pursuant to written request of counsel for petitioner, the above
entitled petition for review is ordered withdrawn.
- S011960 People, Respondent
v.
Cynthia Lynn Coffman and James Gregory Marlow, Appellants
On application of appellant James Gregory Marlow and good
cause appearing, it is ordered that the time to serve and file
appellant's reply brief is extended to and including October 24,
2000.
- S016730 People, Respondent
v.
Raymond Edward Steele, Appellant
On application of respondent and good cause appearing, it is
ordered that the time to serve and file respondent's brief is extended
to and including September 18, 2000.
- S018292 People, Respondent
v.
Evan Teek Nakahara, Appellant
On application of appellant and good cause appearing, it is
ordered that the time to serve and file appellant's opening brief is
extended to and including October 16, 2000.
- S022224 People, Respondent
v.
Darren Cornelius Stanley, Appellant
On application of appellant and good cause appearing, it is
ordered that the time to serve and file appellant's reply brief is
extended to and including October 16, 2000.

S043187 People, Respondent

v.

Billy Ray Riggs, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including October 16, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

No further extensions of time will be granted.

S045696 People, Respondent

v.

Randy Eugene Garcia, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including October 10, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S049741 People, Respondent

v.

William Lester Suff, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including October 12, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S060822 In re Albert Cecil Howard

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file supplemental timeliness allegations to the petition for writ of habeas corpus is extended to and including August 25, 2000.

No further extensions of time are contemplated.

S074429 People, Respondent

v.

Drax Quartermain, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including October 17, 2000.

S078271 Peter Vu, Appellant

v.

Prudential Property & Casualty Insurance Company, Appellant

On application of appellant Prudential and good cause appearing, it is ordered that the time to serve and file the answers to amicus curiae briefs is extended to and including August 30, 2000.

S082299 In re Peter Sakarias

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including September 6, 2000.

S085088 Friends of Sierra Madre et al., Appellants

v.

City of Sierra Madre et al., Appellants

On joint application of the parties and good cause appearing, it is ordered that the time to serve and file their answers to amicus curiae briefs is extended to and including September 22, 2000.

S085729 In re Richard Louis Phillips

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including September 13, 2000.

S086153 People, Appellant

v.

Dominic D. Slayton, Respondent

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief on the merits is extended to and including September 12, 2000.

S086439 In re Anthony Lamar Dean

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to respondent's informal response is extended to and including September 31, 2000.

S086611 People, Respondent

v.

James Allen Mar, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including September 12, 2000.

S087893 People, Respondent

v.

Ejaan Dupree McCoy et al., Appellants

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's opening brief on the merits is extended to and including September 11, 2000.

S088116 Cecelio Lugtu et al., Appellants

v.

California Highway Patrol et al., Respondents

On application of respondents and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including September 11, 2000.

No further extensions will be granted.

S090615 James R. Ramos, Petitioner

v.

Sacramento County Superior Court, Respondent

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S072196 In the Matter of the Suspension of Attorneys
Pursuant to Rule 962 California Rules of Court

Having been provided proof of compliance pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the suspension of **Thomas Michael Wright** pursuant to our order filed on May 22, 2000, is hereby terminated.

This order is final forthwith.

S080623 In the Matter of the Suspension of Attorneys
Pursuant to Rule 962, California Rules of Court

Eric Walter Jorgensen, #46845, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that **Eric Walter Jorgensen**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after **September 18, 2000**.

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above

provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S081555 In the Matter of the Suspension of Attorneys
For Nonpayment of Dues

Due to clerical error on the part of the State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of dues filed on September 10, 1999, effective September 27, 1999, be amended *nunc pro tunc* to strike the name of Marlo A. Carruth.

S088776 In re **Steven L. Dobbs** on Discipline

It is ordered that **Steven L. Dobbs, State Bar No. 26967**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 60 days. **Steven L. Dobbs** is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on April 6, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-quarter of said costs shall be added to and become part of the membership fees for the years 2001, 2002, 2003 and 2004. (Bus. & Prof. Code section 6086.10.)

S088777 In re **Timothy Mills Ehritt** on Discipline

It is ordered that **Timothy Mills Ehritt, State Bar No. 122106**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for 18 months on condition that he be actually suspended for 30 days. **Timothy Mills Ehritt** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed on April 6, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year

after the effective date of this order. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S088779 In re **Lih-Jiuan Grace Lin** on Discipline

It is hereby ordered that **Lih-Jiuan Grace Lin, State Bar No. 147155**, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. **Lih-Jiuan Grace Lin** is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S088798 In re **Terry Wayne Dennis** on Discipline

It is hereby ordered that **Terry Wayne Dennis, State Bar No. 146506**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. **Terry Wayne Dennis** is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S088799 In re **Neill Dahl O'Malley, a.k.a. Nick O'Malley** on Discipline

It is ordered that **Neill Dahl O'Malley, a.k.a. Nick O'Malley State Bar No. 64441**, be suspended from the practice of law for 90 days, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 30 days. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed April 14, 2000. Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2001 and 2002. (Bus. & Prof. Code section 6086.10.)

S088800 In re **Daniel Gene Russell** on Discipline

It is ordered that **Daniel Gene Russell, State Bar No. 96063**, be suspended from the practice of law for five years, that execution of suspension be stayed, and that he be actually suspended from the practice of law for two years and until he makes restitution to Joseph and Martha McQuillan (or the Client Security Fund, if appropriate) in the amount of \$1,500.00, plus 10% interest per annum from July 1, 1997; to Jeffrey Young (or the Client Security Fund, if appropriate) in the amount of \$800.00 plus 10% interest per annum from August 12, 1997, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed on April 4, 2000; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California; and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. **Daniel Gene Russell** is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for termination of his actual suspension. It is further ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S088801 In re **Bruce Allan Mandel** on Discipline

It is ordered that **Bruce Allan Mandel, State Bar No. 149539**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including five months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 11,

2000, and its order filed May 24, 2000. Credit towards the period of actual suspension shall be given for the period of interim suspension which commenced on November 12, 1999. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S088877 In re **Paul Park** on Discipline

It is ordered that **Paul Park, State Bar No. 144210**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed April 19, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S088879 In re **Gregory D. Gorman** on Discipline

It is ordered that **Gregory D. Gorman, State Bar No. 152716**, be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed April 6, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half thereof shall be added to and become part of the membership fees for calendar years 2001 and 2002, respectively. (Bus. & Prof. Code section 6086.10.)

S088880 In re **Raymond J. Kim** on Discipline

It is hereby ordered that **Raymond J. Kim, State Bar No. 171209**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S088881 In re **Bruce Ronald Safran** on Discipline

It is ordered that **Bruce Ronald Safran, State Bar No. 58206**, be suspended from the practice of law for five years, that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for three years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on March 21, 2000, as modified by its order filed April 19, 2000. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in equal amounts prior to February 1 of calendar years 2001, 2002, and 2003, and 2004.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S088882 In re **Norbert Anthony Schlei** on Discipline

It is ordered that **Norbert Anthony Schlei, State Bar No. 28772**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the

State Bar Court in its order approving stipulation filed on March 14, 2000, as modified by its order filed May 15, 2000. Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on January 27, 1995 (*In re Young* (1989) 49 Cal.3d 257, 270). It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S088883

In re **Mark Kendall Worcester** on Discipline

It is ordered that **Mark Kendall Worcester, State Bar No. 94706**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be actually suspended from the practice of law for 90 days and until he attends the State Bar Ethics School and takes and passes the test given at the end of such session; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205, Rules of Procedure of the State Bar of California. He is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If he is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7 (as amended effective January 1, 1997).

*See Business and Professions Code section 6126, subdivision (c).

S088884 In re **William Robert Siefkes** on Discipline

It is ordered that **William Robert Siefkes, State Bar No. 160381**, be suspended from the practice of law for 30 days, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including actual suspension recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 4, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S090441 In the Matter of the Resignation of **Robert Thomas Williams**
A Member of the State Bar of California

The voluntary resignation of **Robert Thomas Williams, State Bar No. 116701**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)